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Dated: June 15, 2005

Signature:

William K. Merkel

Docket No.: 28594/38247  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Anthony D. Shannon et al.

Application No.: 10/049,953

Filed: June 17, 2002

Art Unit: 1648

For: RECOMBINANT SUBUNIT VACCINE

Examiner: Myron G. Hill

**AMENDMENT A**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In an Office Action mailed December 16, 2004 (hereinafter, the "Office Action"), a restriction requirement was made final, claims 25-28 were subject to objection, claims 25-28 were rejected under 35 U.S.C. § 112, second paragraph, claims 21-31 were rejected under 35 U.S.C. § 112, first paragraph, for asserted lack of enablement, claims 21-24 and 29-31 were rejected under 35 U.S.C. § 102(b) over WO 99/29834 (hereinafter, "Srivastava"), and claims 21 and 25-28 were rejected under 35 U.S.C. § 103(a) over Srivastava in view of Deregt et al., Virus Res. 57:171-181 (1998) (hereinafter, "Deregt"). Applicant requests reconsideration of the application in view of the following amendments and remarks.

**Amendments to the Claims** are reflected in the listing of claims beginning on page 2 of this paper.

**Remarks** begin on page 6 of this paper.